SAS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.3604 0F 2005**
**IN**
**INCOME TAX APPEAL (LOD) NO.1592 OF 2005**

The Commissioner of Income Tax ..Appellant.

V/s.

M/s. Avarsekar Developers ..Respondent.

Mr.P.S.Sahadevan for appellant.

**CORAM : F.I.REBELLO AND**
**J.P.DEVADHAR, JJ.**

**DATED : 11TH SEPTEMBER, 2007.**

**P.C. :-**

Delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the appeal memo and considering the affidavit in support of the notice of Motion, in our opinion, cause shown would amount to sufficient cause. Hence delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

Office to register the appeal.

**(J.P.DEVADHAR, J.)** **(F.I.REBELL0, J.)**